



U.S. Department of Justice

*United States Attorney
District of Maryland*

*Michael C. Hanlon
Assistant United States Attorney*

*Suite 400
36 S. Charles Street
Baltimore, MD 21201-3119*

*DIRECT: 410-209-4895
MAIN: 410-209-4800
FAX: 410-962-9293
Michael.Hanlon@usdoj.gov*

January 17, 2023

The Honorable James K. Bredar
Chief United States District Judge
U.S. Courthouse
101 W. Lombard Street
Baltimore, Maryland 21201

Re: United States v. Tyeshawn Rivers (Domanee Bradley, et al.)
Crim. No. JKB-19-036

Dear Chief Judge Bredar:

The government writes to respond, briefly, to the letter filed by Ms. LeGrand on January 12, 2023 (ECF 1069). The government also notes the discovery conference now set for February 9, 2023.

As an initial matter, the government acknowledges its confusion on the issue of whether all counsel had consented to the August 16, 2023 expert report disclosure date. That mistake was inadvertent of course. A number of emails have passed between the government and Ms. LeGrand on various matters and the government simply erred with respect the status of counsel's position on the deadline for expert disclosure. The government does not believe any of the other defense counsel have stated any objection to those dates but is confirming that separately.

By way of background, the government has disclosed approximately 285,614 pages of documentary discovery and more than 2.19 terabytes of electronic evidence on a variety of issues during this case. Most recently, the government has endeavored mightily to comply with the deadlines set forth in the Court's October 19, 2022 order. Counsel's objections appear to be focused on two issues: the DNA evidence and the use of the discovery coordinator in this case.

In advance of the February 9 discovery conference, the government believes that the parties should attempt to satisfy the consultation measures contemplated by Standing Order 2020-001, paragraph 4(a)-(b). To that end, undersigned counsel will reach out to Ms. LeGrand to discuss the timing of DNA-related expert disclosures (given her objection to the August date) and any outstanding questions counsel has with respect to the DNA discovery in general. Counsel has alluded to some of those questions at various points, including in her recent letter and emails. Perhaps the parties can come to an understanding as to what questions remain and how to address them.

Undersigned will also discuss counsel's issues with the provision of discovery via the discovery coordinator. This issue may be more of a challenge. Although the government understands counsel's desire to obtain discovery as quickly as possible, the government has not been comfortable providing discovery to one defense counsel in a manner different than the method being used for all other counsel.

Assuming Ms. LeGrand is available, the government will attempt to arrange the consultation this week or next. The government thanks the Court for its consideration of this matter.

Very truly yours,

Erek L. Barron
United States Attorney

Patricia L. McLane
Michael C. Hanlon
Assistant United States Attorneys

cc: Counsel via ECF